

Remarks**Allowable Subject Matter**

The applicant thanks the examiner for the examiner's recognition of the allowability of claims 27 and 40.

Section 112, Second Paragraph, Rejection

The examiner rejected claim 3 based on Section 112, second paragraph.

Given claim 3, as presented above, the applicant asks the examiner to withdraw the Section 112 rejection.

Section 102 Rejection

The examiner rejected claims 1-5, 19, and 44-45 based on Smith, Jr. U.S. Patent No. 4,713,859. However, the Smith patent neither discloses nor suggests the invention as embodied in these claims, for at least the reasons presented below.

As seen in the Amendments section above, the applicant has amended independent claims 1 and 19 in order to clarify that the spigot handle includes an elongated portion that extends upward from the spigot. However, this aspect is neither disclosed nor suggested by Smith. Instead, Smith teaches a drain spigot 22 having a substantially normally disposed handle member 98. (See, e.g., column 5, lines 25-31 and Figs. 6-7.) Accordingly, the applicant asks the examiner to withdraw the Section 102 rejection.

Although the information presented above is sufficient to overcome the Section 102 rejection, the applicant has pointed out additional patentable distinctions below, for the benefit of the examiner.

Claim 1 calls, in part, for a method of applying a liquid to a surface, with the method including dispensing the liquid through the spigot of the wheeled receptacle onto (a selected area of) the surface. However, Smith neither teaches nor suggests applying a liquid through a spigot of a wheeled receptacle onto a surface. Instead, Smith discloses a portable cleaning station 10 having a drain opening 16 and valve assembly 18 through which a cleaning solution may be discharged from the bucket assembly 14 to a selected disposal receptacle 21, i.e., a floor drain. (See, e.g., column 2, lines 49-66 and Fig. 2.) In addition, claims 4 and 5 call, in part, for regulating the amount of the liquid which is dispensed onto the selected area of the surface. However, as noted immediately above, Smith neither teaches nor suggests this aspect.

In claim 2, the invention calls, in part, for the spigot (including the selectively-adjustable valve) to be operable between a fully-open position and a fully-closed position. In this fashion, a liquid may flow through the spigot at any of a number of different user-selected rates, so long as the valve is not in the fully-closed position. However, this aspect is neither taught nor suggested in the Smith patent. Instead, Smith discloses that the drain spigot 22 (including the drain spigot stem 96) has a single open position and a single closed position. (See, e.g., column 2, lines 50-53; column 2, line 61 - column 3, line 2; column 5, lines 45-52; and Figs. 4-5.)

In claims 44, the wheeled receptacle includes a back, and the spigot is at the back. However, Smith does not teach or suggest this aspect of the invention. Instead, in Smith, the drain spigot 22 is at the front wall 34 of the bucket assembly 14 of the portable cleaning station 10. And given the other structural aspects of the cleaning station 10, one of ordinary skill would find no suggestion to move the drain spigot 22 from the front wall 34 to

the rearward wall 40. Such structural aspects include, for example, the sloped bottom wall 42, the first- and second- bumper guard members 46, 48 at the front wall 34, and the pull-handle assembly 160 at the front wall. (See, e.g., column 3, lines 17-62; column 6, line 66 - column 7, line 23, and Figs. 1-3.)

Given the information presented above, the applicant asks the examiner to withdraw the Section 102 rejection.

Section 103 Rejections

The examiner rejected claims 6-7, 22-26, 28-30, 35-39 and 41-43 based on Smith in view of Williams U.S. Patent No. 4,545,531. However, neither the Smith patent nor the Williams patent, either alone or in combination, discloses or suggests the invention as embodied in these claims, for at least the reasons presented below.

As a preliminary matter, the Williams patent is directed to non-analogous art; and therefore, one of ordinary skill would not even have considered the Williams patent. In further detail, the claimed invention is directed, in relevant part, to a wheeled receptacle and method for applying a liquid through a spigot onto a surface. (See, e.g., independent claims 1, 19, and 35.) In sharp contrast, Williams is directed to a striping and marking device in which aerosolized paint is sprayed from an aerosol spray paint can onto items such as curbs, playground activity areas, athletic fields, and the like. (See, e.g., the abstract, and column 1, lines 5-13.)

Even if, for the sake of argument, one of ordinary skill were forced to consider the Williams patent, it would not have been obvious to modify Smith's portable cleaning station 10 so as to include Williams' axles 24, 26. For example, as explained in the Section 102 section above, Smith is directed to a portable cleaning station 10 having a drain

opening 16 and valve assembly 18 through which a cleaning solution may be discharged from the bucket assembly 14 to a selected disposal receptacle 21, i.e., a floor drain. (See, e.g., column 2, lines 49-66 and Fig. 2.) However, Smith is neither directed to, nor concerned with, the width of a liquid being drained from the portable cleaning station 10 into a disposal receptacle 21. For this reason alone, one of ordinary skill simply would have had no motivation to put any width indicator(s) on the portable cleaning station 10, let alone the particular axles 24, 26 shown in the Williams patent. Furthermore, Smith neither discloses nor suggests the ancillary structure that would be required to support Williams' axles 24, 26.

In claims 26 and 39, the width indicia of the wheeled receptacle include at least two outwardly-extending tabs. (One example of such tabs is described on page 11, line 2 and shown in Fig. 1.) The Williams patent, on the other hand, neither discloses nor suggests outwardly-extending tabs, as called for in claims 26 and 39.

In claims 28 and 41, the spigot and spigot handle are at the back of the wheeled receptacle. However, neither Smith nor Williams, either taken alone or in combination, suggests this aspect of the invention. For example, in Smith, the drain spigot 22 (including the substantially normally disposed handle member 98) is at the front wall 34 of the Smith portable cleaning station 10. (See, e.g., Figs. 1-2.)

In claims 29 and 42, the width indicator is at the back of wheeled receptacle. Yet neither Smith nor Williams, either alone or in combination, teaches or suggests this aspect. For example, the axles 24, 26 of Williams' marking device 10 are positioned at the front of the device 10, serving as axles for the front wheels 20, 22. (See, e.g., column 2, lines 66-67 and Figs. 1-2.)

In claims 30 and 43, the wheeled receptacle includes a handle at the back, with the handle including the width indicator. However, this aspect of the invention is not disclosed or suggested by Smith and/or Williams. For example, in Williams, the axles 24, 26 are not handles. And in Smith, there is no teaching or suggestion of a width indicator.

For at least the reasons presented above, the applicant asks the examiner to withdraw the Section 103 rejection of claims 6-7, 22-26, 28-30, 35-39 and 41-43.

The examiner rejected claims 8-9 and 20-21 based on Smith in view of Taylor U.S. Patent No. 5,333,353. However, neither Smith nor Taylor, either alone or in combination, teaches or suggests the invention as embodied in these claims, for at least the reasons presented below.

The examiner reasoned that it would have been obvious to replace Smith's wringer 12 with Taylor's wringer 1, with the motivation being to facilitate the use of the handle 2 of Taylor's wringer 1 to propel and steer Smith's portable cleaning station 10. However, this is not correct for at least the following reason. Smith already has a (telescoping) pull-handle assembly 160 for pulling the cleaning station 10 over a floor or supporting surface. (See, e.g., column 6, line 66 - column 7, line 23, and Figs. 1, 2, 4, and 11.) And because of the presence of the Smith pull-handle assembly 160, one of ordinary skill would have found Taylor's handle 2 (on Taylor's wringer 1) to be redundant at best, and therefore unnecessary.

For at least the reasons presented above, the applicant asks the examiner to withdraw the Section 103 rejection of claims 8-9 and 20-21.

The examiner rejected claims 10-15 based on Smith. The applicant asks the examiner to withdraw this rejection for at least the following reason. Claims 10-15 depend, directly or indirectly, from allowable claim 1.

The examiner rejected claims 16-18 based on Smith in view of Biggs et al. U.S. Patent No. 5,920,944. The applicant asks the examiner to withdraw this rejection for at least the following reason. Claims 16-18 depend, indirectly, from allowable claim 1.

The examiner rejected claims 31-34 based on Smith in view of Robinson U.S. Patent No. 6,206,980. The applicant asks the examiner to withdraw this rejection for at least the following reason. Claims 31-34 depend, directly or indirectly, from allowable claim 19.

Conclusion

Given the amendments and remarks presented above, the applicant asks the examiner to allow all of the pending claims (claims 1-45). If any issues remain, the applicant asks the examiner to call the applicant's representative at the number listed below.

Respectfully submitted,

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